

How about United Airlines. Here is United. United Airlines doesn't disclose its funding of the chamber, but it is on the chamber's board, so it is likely a major financial backer involved in chamber policy decisions. Same thing—through the Business Roundtable, United says that climate change is serious and Congress should enact a carbon price, and on United's website, you will find good language about climate change and the importance of reducing emissions. Indeed, United has pledged to cut emissions in half by 2050.

Meanwhile, what is the chamber, on whose board United sits, doing? The watchdog group InfluenceMap has caught the chamber repeatedly lobbying the Trump administration to unravel carbon pollution limits. So you have to wonder: From its seat on the chamber board, did United know about this? Did they do anything to stop those activities? They sit on the board, after all.

Look also at Coca-Cola, one of our most iconic American brands. Through the Business Roundtable, Coca-Cola says that climate change is serious and that Congress should enact a carbon price. Coca-Cola says in its own materials that "[c]limate change is already having an impact on our business at multiple points in our value chain." It says that it is committed to reducing its emissions. But in 2019, Coca-Cola gave the chamber at least \$34,000. It didn't disclose the total amount.

What was the chamber up to on climate? It was in court litigating in favor of the Trump administration against efforts to reduce carbon pollution from powerplants.

Now, Coca-Cola and the beverage industry also have a trade association of their own, which appears from public reporting to have made zero effort on this climate problem, notwithstanding those multiple impacts on Coca-Cola's value chain. That trade association knows how to lobby when it wants to. On climate, it just doesn't want to.

Let's have a look at AT&T, another one here on the board. I am not seeing it right now, so I am going to keep looking as I talk. It is another iconic American brand like Coca-Cola, and, like United, AT&T sits on the chamber's board. Presumably sitting on the chamber's board, it is influential within the organization. In the first 6 months of 2019, AT&T reported giving the chamber at least \$144,000.

Now, AT&T wants Congress to adopt a very specific climate policy. First, of course, through the Business Roundtable, AT&T says that climate change is serious and that Congress should enact a carbon price. Also, AT&T is a founding member of the Climate Leadership Council, and AT&T supports the CLC's detailed carbon price proposal.

Well, that is through their Business Roundtable and Climate Leadership Council voice. What do we hear through their chamber voice? Well, I could tell you something about where

the chamber is on carbon pricing because, with Senators Schatz and Gillibrand and Heinrich, I have introduced carbon pricing legislation that is not all that different from the CLC proposal. Senators COONS and FEINSTEIN have a carbon pricing bill. So does Senator VAN HOLLEN. Senator DURBIN, our deputy minority leader, just announced one. Over in the House, there are multiple carbon pricing bills, including one with over 80 cosponsors. Has the chamber supported any of these bills? Nope. Not a one. Has it even engaged on any of them? Not with me. Not on ours. Not that I can tell on any of the others.

When election season rolls around, the chamber has spent millions supporting candidates who oppose comprehensive climate policies. So the Chamber message is pretty clear: Don't support a serious carbon price.

So which voice of AT&T's are we to listen to—the CLC and Roundtable positive squeaks about carbon pricing or the chamber's negative roar against carbon pricing, the roar that says to members here: Don't you dare?

These companies—all of them—which just said they support carbon pricing, are funding a group that is opposing climate action and specifically carbon pricing at every turn—in Congress, in court, in elections, in regulatory agencies.

I have called out just a few. There is AT&T right here. I called out just a few companies today to make the point, but every one of these companies—every one of them—is in the same position. The climate policy they support through the Business Roundtable is opposed by the entity they support: the chamber.

They have to straighten that out. Whether you are UPS, Home Depot, American Express, Marathon, MetLife, Northrop Grumman, Sales Force, Marriott, Abbott, Morgan Stanley, Microsoft, Exelon, Sempra, Southern Company, GE, Intel, Citi, PepsiCo—you name it—Anthem, Pfizer, Johnson Controls, Lilly, Dow, ExxonMobil.

You have to straighten this out because these are big and influential companies. In fact, this year, the market capitalization of the entire oil and gas sector dropped below the market capitalization of just Apple. Quartz reported in June that Apple could nearly buy ExxonMobil just with cash on hand.

Yet these companies have been mostly silent while polluters called the shots around here in Congress and for a long time. They haven't asked hard questions about the chamber's fossil fuel funding, and they mostly stood by while the chamber—their own organization—became a worst climate obstructionist. I think this is beginning to change.

Last week, I spoke at a CERES, C-ER-E-S, event on corporate climate lobbying during New York Climate Week. Over 100 people from scores of different companies participated. The interest among corporations and investors in

getting a handle on anti-climate lobbying is surging. To all of them I said: Change the chamber. Get it to follow the Business Roundtable and support carbon pricing. Get it to come to Congress in favor of science-based climate policy. Get the truth out of the chamber about how much money it has been taking from the fossil fuel industry, particularly for these companies who are board members of the chamber. You guys have a due diligence duty to know that stuff. Changing that behemoth—the anti-climate chamber—would be a sea change indeed. That would help finally break the logjam that the fossil fuel industry has created here in Congress.

Let me wrap up by pointing out the obvious, which is that time is running out. If we don't act soon, we will lock in the worst consequences of climate change for decades. So to these companies I ask: Why, if this is as important as you say it is, do you not speak with a clear voice? Why do you let corporate America's most powerful political mouthpiece oppose you? Look at these companies. Why do you tolerate that, and why do you fund it and sit on its board while it opposes you? Climate change is not an issue you want to be on both sides of, so why are you on both sides of it? Whom do you expect Congress to listen to? Which voice of yours are we to take as the real one? If you want us to listen to your Business Roundtable voice, you better make sure it is not drowned out by the massive business lobby that you fund that has been our worst enemy against climate action. You all need to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### NOMINATION OF AMY CONEY BARRETT

Mr. YOUNG. Mr. President, I rise today in support of President Trump's nomination of Indiana's Amy Coney Barrett to the U.S. Supreme Court.

In the coming days, Americans will hear a great deal about Judge Barrett—much of it from people who have never met her, who have never worked with her. As a fellow Hoosier, I have had the privilege of actually getting to know Judge Barrett and her family and to understand the breadth of her intellect and the thoughtful reasoning of her work. My own opinions have been informed by my personal interactions with her and supported by the countless students, clerks, and former colleagues who, despite their very political beliefs, are united in their admiration for Judge Barrett. They will second what I tell you here.

Amy Coney Barrett's qualifications to fill this seat are beyond question. The character she will demonstrate, once in it, will be exceptional.

Her career is beyond distinguished. She graduated magna cum laude from Rhodes College and summa cum laude from Notre Dame Law School in South Bend, IN. She was highly decorated while doing both, including Dean's Recognition Award and best exam in numerous courses.

She held prestigious clerkships for Judge Laurence Silberman on the U.S. Court of Appeals for the DC Circuit and for the late Justice Antonin Scalia on the U.S. Supreme Court.

She is a respected educator, teaching for nearly two decades at Notre Dame's Law School, where she was named Distinguished Professor of the Year three times.

In 2017, she was nominated to fill a vacancy in the U.S. Circuit Court of Appeals for the Seventh Circuit. I have to say, I was incredibly pleased by her nomination to the Federal bench, and I was proud to vote for her confirmation.

I wasn't alone in my esteem for Judge Barrett. During her confirmation process, those students and colleagues—former and current—came forward with words of support and praise by the score. They described her as fair and decent, brilliant and generous. They were struck by her integrity, her impartiality, and her temperament. They spoke of her dedication to teaching students not how to think but how to think for themselves. They recalled the long lines extending outside of her office of those students who sought and were always given advice and mentoring.

Though they came from different backgrounds and held differing views, they came together as a chorus to say this: Amy Coney Barrett possesses exactly the type of mind and the strength of character America's constitutional system relies on. I agreed then, and I still do.

Just 3 years ago, I didn't hear a single credible criticism of Judge Barrett based on her legal qualifications. I don't anticipate hearing one now. She will be guided by the law and precedence. She will be faithful to the Constitution.

As compelling as the testimonies of those who admire her are, it is through her own words that we can see the type of Supreme Court Justice Amy Barrett will be: "A judge is obligated to apply the law as it is and not as she wishes it would be."

Judge Barrett has said: "She is obliged to follow the law even when her personal preferences cut the other way or when she will experience great public criticism for doing so."

It is important for Americans to understand her qualifications for the Supreme Court and her fidelity to the Constitution. But they should also know a bit about her life away from the bench.

When I met her, it was quite obvious that Amy Coney Barrett was less interested in cataloging her professional accomplishments and more inclined to discuss her family and the accomplishments of her children, whom she clearly loves so very much.

Judge Barrett and her husband Jesse have been married for over 20 years now. Their family is a large one and a loving one. They are parents to seven children. Their youngest son has special needs. They have twice adopted—

both times from Haiti. Judge Barrett has asked:

What greater thing can you do than raise children? That's where you have your greatest impact on the world.

It is clear not just from those words but from simply spending a few moments with this beautiful family that this is her life's joy and her greatest point of pride.

How absurd then to see her described, as some here and in the media have, as anti-healthcare. It is the opposite, actually. As the head of a large household, Amy Coney Barrett knows full well and better than most of her detractors how important medical coverage is to every American's health and to their peace of mind too. This includes insurance for those with pre-existing conditions—which Republicans have, time and time again, committed to protect, while working to make healthcare more affordable and more accessible.

This is actually not why Judge Barrett was nominated or why she belongs on the Supreme Court. Let us be truthful. It is also not the real reason why those who oppose her do so and do so with such rage. In the absence of actual objections to Amy Coney Barrett's resume, they rummaged through and purposely warped Judge Barrett's record. They warped her legal writings to position her as the mortal enemy of ObamaCare. This is a lie. Her scholarship—if properly read, rather than quickly mined for propaganda—reveals no such thing.

For 30 years, Democrats have continually cried wolf, painting every Republican Supreme Court nominee as the end of the Republic, hoping always to scare the American people to their side. Just as we witnessed 2 years ago, when their lies run out of believers, the lies grow more reckless. This is a dangerous game to play right now—doubly so for the party that is blocking healthcare legislation during a pandemic.

Judge Barrett hasn't been nominated to the Supreme Court to make policy. Some seem to have forgotten, but that is our job. President Trump selected her not only because of her sharp mind and impressive qualifications but because she will not legislate from the bench. That is the whole point.

Of course, there are others who may take a different, even darker tack. To them, none of this matters—not the impeccable credentials, not the ringing endorsements, not that she is a role model of an accomplished professional and a loving mother, not that she has been described as "mind-blowingly intelligent" and "one of the most humble people you will ever meet"—none of it. We will hear from them in coming days—likely in this Chamber. We will hear a lot from them.

If past is prologue, they may choose to focus instead on Judge Barrett's religious beliefs—not out of any deep conviction but out of desperation. They may argue that it is impossible to live

a life of faith and uphold the law. They may create a caricature of Judge Barrett that has no relation to reality and one that reflects their own intolerance, not hers. It is regrettable that, in 2020, we must still repeat this refrain: We do not have a religious test for public service in the United States of America, and we never have.

It is true. Judge Barrett is a faithful Catholic. It is true. So, too, are five current Supreme Court Justices. So, too, are millions of Americans. To argue that this prohibits her from sitting on the Supreme Court is nothing short of religious bigotry.

In 1793, George Washington penned a letter to the members of the New Jerusalem Church of Baltimore, MD. In it, Washington outlined one of the principles that makes America so unique. "A man's religious tenets," he wrote, "will not deprive him of the right of attaining and holding the highest offices that are known in the United States."

Happily, 200 years later, we now apply Washington's equation regarding the holding of high office to both men and women. It is unfortunate, though, that, two centuries later, we must still be reminded that all Americans can worship and pray as they please, and no doors of opportunity shall be closed because of it.

And there is this: Since our founding, 114 Americans have sat on the Supreme Court. Only four of them have been women.

Are those who oppose this President and this pick really willing to use religious prejudice as an excuse to oppose confirming the fifth? Come on. If so, the faith my colleagues should be worried about isn't Judge Barrett's but the American people's in this institution.

In the coming weeks, I hope we don't regress into religious bigotry. I hope the Senate can move past the personal attacks of some past nominees and, instead, focus on the professional qualifications and judicial comportment of Judge Barrett.

We are constitutionally obligated to provide our advice and consent to the President on his judicial nominees. My hope—and, perhaps, it is a naive one—is that we will fulfill that responsibility by holding hearings that are informative rather than destructive, not unlike those that led to Justice Ruth Bader Ginsburg's bipartisan confirmation in 1993.

If the Senate does this and we consider Judge Barrett's qualifications, she will be confirmed and subsequently serve with great honor and distinction, and she will do the American people proud. Both the High Court and our country will be better for it.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SIGNING AUTHORITY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the senior Senator from North Dakota and the majority leader be authorized to sign duly enrolled bills or joint resolutions on Wednesday, September 30.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NOMINATION OF AMY CONEY BARRETT

Mr. PORTMAN. Mr. President, I would like to talk tonight about the nomination of Amy Coney Barrett for the vacant Supreme Court Associate Justice seat.

I think the President made a great pick. From all indications, she is an impressive lawyer, judge, and person. We have already begun the process of looking at Judge Barrett. She has been meeting with Members of the Senate, and I look forward to my meeting with her.

The precedent for moving forward with this nomination at this time is crystal clear. During an election year, when one party holds the Presidency and the Senate, in the entire history of our country, the Senate has confirmed the nominee in every single case except one. That one exception, by the way, was somebody who withdrew because of ethics concerns that both Republicans and Democrats had. So the precedent is very clear. When you have the President and the Senate of the same party, we confirm.

In contrast, when power is divided and a Supreme Court vacancy arises during an election year, Senate precedent is not to confirm the nominee. In fact, the last time a confirmation occurred with the President and the Senate of different parties was in the 1880s. That distinction is what separates now from 2016.

Back then, I wrote an op-ed:

Some argue that the American people have already spoken. And I agree they have. Both the president and the Senate majority were fairly and legitimately elected. The last time we spoke as a nation, two years ago, the American people elected a Republican majority in the U.S. Senate in an election that was widely viewed as an expression that people wanted a check on the power of the president. The president has every right to nominate a Supreme Court Justice. . . . But the founders also gave the Senate the exclusive right to decide whether to move forward on that nominee.

In other words, in keeping with the precedent that I laid out earlier, the Republican Senate did what Democratic Senates had traditionally done with a Republican President's nominee. The comments I made in 2016 were all in that context of divided government.

In fact, in that same op-ed, I warned that divided government is not "the time to go through what would be a highly contentious process with a very high likelihood the nominee would not be confirmed." I did not believe that Judge Garland would have been confirmed. I thought it was not a good result to have that kind of highly contentious process for the institution of the Supreme Court or for the Senate.

Now, of course, we have a very different situation. We have a President and a Senate of the same party. In fact, we have a Republican Senate that was elected in 2016 and reelected in 2018, in part, to support well-qualified judges nominated by the President.

No one can disagree that Judge Barrett has an impressive legal background. As I have looked into her background both as a law professor at Notre Dame, where three times she won the Distinguished Teaching Award and, of course, in her record as a judge on the U.S. Court of Appeals for the Seventh Circuit, Judge Barrett has been highly regarded for her work in the legal world.

By the way, she has been highly regarded from folks across a wide variety of legal philosophies. They say she is smart. They say she understands the law. They say she is well qualified. In fact, the American Bar Association said that about her when she was nominated and successfully confirmed here in the U.S. Senate to the circuit court, which, of course, is the second level, right below the Supreme Court. So she has already gone through the process here. She has been confirmed here. The American Bar Association looked at her and said she is well qualified, which is their highest rating. So my hope is that there will not be any argument about whether she is well qualified or not, because she clearly is. She has an impressive legal background.

To me, though, her personal story is as impressive as her legal career. After earning a full ride to Notre Dame Law and graduating first in her class, she earned a prestigious clerkship on the Supreme Court for Justice Antonin Scalia. She then married Jesse Barrett, a classmate of hers at Notre Dame, and is raising seven wonderful children—two adopted from Haiti—all while advancing her own extraordinary career in the law. Frankly, I think she is a great model for working parents everywhere.

As we heard during her last confirmation to the circuit court, when we talked about her right here on the floor of the U.S. Senate, she was admired as a good person. Colleagues at Notre Dame, her students at Notre Dame, and others from across the political spectrum have called her fair. They have called her compassionate. They have said she is a good person.

Apart from those legal qualifications and the character, I think it is fair for the Senate to insist on knowing a judge's judicial philosophy. My view is that it is the role of Supreme Court Justices to fairly and impartially apply the law and protect our rights guaranteed by the Constitution but not to advance their personal preferences or even their policy goals. That is not the job of judges. They are not supposed to be like us, legislators. They are not supposed to legislate from the bench. They are supposed to follow the Constitution, follow precedent.

It is no understatement to say that Judge Barrett is being interviewed for

one of the most important jobs in the country. That is why it is important we do get a fair and accurate picture of her judicial philosophy. Do you know what? Her judicial philosophy lines up with what I think is right for the Court but, more importantly, what most Americans think is right for the Court.

As an opinion piece in the Wall Street Journal put it recently, Judge Barrett's body of work puts her "at the center of the mainstream consensus on the judge's role as an arbiter, not a lawmaker, who abides by the duty to enforce the law as written." That is her record. That is the philosophy she talked about as she was confirmed by this body just a couple of years ago.

While I know that judicial nominations have become incredibly partisan around here, my hope is that Judge Barrett will be given a thorough and a fair evaluation from both sides of the aisle. To that end, I hope my Democratic colleagues will at least meet with Judge Barrett and engage with her on any concerns they might have rather than dismiss her nomination out of hand, and I hope that those who end up opposing her will be able to do so without resorting to the kind of character assassination we saw with Judge Kavanaugh.

I look forward to the 4 days of Judiciary Committee hearings that have already been announced by Chairman GRAHAM. This will give all members of the committee plenty of time to ask questions, to express their views, and to have the dialogue that they are looking for. I will be joining millions of Americans in watching those proceedings.

I will also look forward to my one-on-one meeting with her. This will give me a chance to further assess Judge Barrett's character, temperament, and legal philosophy.

My hope is that my colleagues on both sides of the aisle will also take the opportunity to fairly review her character, her judicial temperament, and her legal qualifications, which are so impressive, and do so in a respectful manner.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

## EXECUTIVE CALENDAR

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 845 through 853, 869, 870, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows: